



MEMORANDUM

B&F

AGENDA ITEM NO. 4 (A)

TO: Honorable Chairperson and Members
Budget and Finance Committee

DATE: May 15, 2003

FROM: Steve Sliver
County Manager

SUBJECT: Annexation application
from Hialeah

Pursuant to the provisions of the Code of Miami-Dade County, Section 20-6(a), attached is staff's review of the subject annexation application. At the Committee meeting, we will supplement this report with my recommendation and those from the Boundaries Commission, Planning Advisory Board, and Incorporation and Annexation Subcommittee.

Attachment



MEMORANDUM

TO: Honorable Chairperson and Members
Boundaries Commission

DATE: February 26, 2003

FROM:  David M. Morris, Director
Office of Management and Budget

SUBJECT: Annexation applications
from North Miami, South
Miami, Hialeah Gardens, and
Hialeah

Pursuant to the provisions of the Code of Miami-Dade County, Section 20-6(a), attached are reports corresponding to staff's review of each of the four subject annexation applications. The Code directs the Boundaries Commission to process annexation applications and make recommendations on requests for municipal boundary changes to the Planning Advisory Board (PAB) and the Board of County Commissioners (BCC). The review guidelines set forth in the Code are included in each report herein transmitted along with staff's input concerning each guideline as it relates to the specific annexation application.

Upon receipt of the Boundaries Commission's recommendation on each annexation, the PAB will study, review, and consider the request for boundary changes. Upon receiving the written recommendation from the PAB, the County Manager is required to review and make a recommendation to the Board of County Commissioners (BCC) on each annexation.

The Charter changes approved by the voters on November 5, 2002, resulted in the creation of BCC committees and subcommittees. Annexation and incorporation issues now fall under the purview of the Budget and Finance Committee. The Incorporation and Annexation Subcommittee is charged with the responsibility of developing short and long-range plans regarding incorporation and annexation and forwarding policy recommendations to the Budget and Finance Committee. The annexation reports transmitted herein are the first incorporation/annexation issues to be reviewed by the Boundaries Commission since the implementation of the Charter changes.

For the most part, annexation and incorporation requests have been considered one at a time. Consideration of four annexation applications at one time highlights questions for which there are no clear guidelines. Outstanding concerns include questions regarding the proposed boundaries especially when they go outside the Urban Development Boundary (UDB), debt service payments, mitigation for commercial/business/industrial (CBI) areas and mitigation for areas that are not CBIs, and provision of fire-rescue services. The Board of County Commissioners will have to address these issues before making a final decision.

The issues of boundaries as related to the UDB and the Fire Rescue District, and mitigation for areas outside a CBI are addressed in the individual reports as appropriate. The questions surrounding debt service payments and mitigation for CBI areas require additional discussion.

The Town of Miami Lakes, The Village of Palmetto Bay, and the proposed municipalities of North Dade and Doral agreed to continue to pay their share of the debt service on the Stormwater Utility and Public Service Tax Revenue Bonds that provide funding for Quality Neighborhood Improvement Program (QNIP) projects. The requirement to maintain debt service payments has not applied to annexations that were processed contemporaneously: Homestead, Medley, Florida City, and Coral Gables. However, state law protects bondholders and does not allow for the impairment of bonds. Therefore, as annexation applications move forward and more are considered, it would seem appropriate to also have annexed areas continue to pay a share of the Stormwater Utility and Public Service Tax debt service.

Another concern regarding debt service is the calculation of an area's payment. Currently an area's share is based on the cost of the bond financed projects within the area as a percentage of the total bond expenditures. Another method would be to base the payment on the area's existing pro-rata share of the debt service on the bonds.

The issues of mitigation in general and mitigation for CBI areas are complex. CBI areas are those that have an economic impact that reaches beyond their immediate geographic vicinity due to economic, labor, and resource contributions from the greater community, and there are a number of CBIs throughout the county. Mitigation payments generally have not been required for areas being annexed. However, the issue is raised at this time because portions of two CBI areas lie within the proposed new boundaries for South Miami and Hialeah Gardens. For recent incorporations, staff has recommended that the county retain all CBIs within UMSA unless the community wishing to encompass the CBI area within its municipal boundaries was to make an annual mitigation payment to the Municipal Services Trust Fund (MSTF) equal to 100 percent of any revenue surplus generated in the CBI area. Such payments have been in addition to mitigation payments for the balance of the annexation area.

Attachments -

- Annexation Report - City of North Miami
- Annexation Report - City of South Miami
- Annexation Report - City of Hialeah
- Annexation Report - City of Hialeah Gardens



MEMORANDUM

To: Honorable Chairperson and Members
Boundaries Commission

Date: February 26, 2003

From: David Morris, Director
Office of Management and Budget

Subject: City of Hialeah annexation
application

BACKGROUND

On September 24, 2002, the City of Hialeah Council, pursuant to a required public hearing, approved Ordinance 02-71 requesting that Miami-Dade County effect the annexation of the subject area into the City's jurisdiction.

The City of Hialeah's annexation request is for an area bounded on the north by NW 170th Street, on the south by NW 138th Street, on the west by NW 107th Avenue and on the east by Interstate 75/Town of Miami Lakes (see map attached).

The City's annexation application was submitted to the Board of County Commissioners (BCC) at the November 19, 2002, BCC meeting. On the same date, a resolution passed by the Town of Miami Lakes Council urging the BCC not to take action on the Hialeah annexation application until Miami Lakes was afforded an opportunity to study the issue and determine whether it wanted to pursue annexation of the same area was also submitted to the BCC. (See attachment 1.) The BCC referred both items to the Planning Advisory Board (PAB).

ANALYSIS

Objectives

In the application, Hialeah officials state that the City is completely developed except for approximately 50 acres of land. In an effort to meet housing demands, the City would like to annex approximately three square miles of vacant property to the northwest corner of its current boundary.

The application states, the City has lost professionals as residents to cities in southwest Broward County. Development of the subject annexation area will

provide the City with the opportunity to develop more attractive housing for this market of professionals. Furthermore, City officials state that the additional undeveloped land will also be used to alleviate the City's shortage of housing for the elderly.

Land Use

The current land uses in the proposed annexation area are rock mining, agriculture and solid waste dumping activities.

Facilities and Services

Police - The City states that as development occurs, one police officer and a K-9 unit will be needed to patrol the open area and construction sites to prevent trespassing and protect construction equipment. As development increases, patrol personnel will be added.

The City of Hialeah Police Department is organized into five sectors, each served by 30 police officers, six sergeants, and one shift commander. At maximum development, between 15,000 to 20,000 people, the annexed area could be served by hiring a minimum of one sergeant and four police officers. An around-the-clock operation would require the addition of six police sergeants and 24 police officers. This additional group of officers and sergeants would require adding one squad to the existing sector 5 command.

Fire and Rescue - According to the application, the City of Hialeah Fire Department monitors the need for additional service as new developments are built, and is continuously evaluating its response times for sufficiency.

Seven fire stations serve a 20 square mile area; each station serves approximately 2.9 square miles. The Department provides fire suppression, emergency medical services, fire prevention/education, hazardous materials response, and dive-rescue services. City officials stated in the application that the City of Hialeah Fire Department was given its highest rating by the Insurance Services Office. Fewer than twenty-five departments nationwide have achieved this rating.

The closest fire station is located at 7590 West 24 Avenue, which is two miles from the annexation area. The City estimates that the response time

to the area would be four minutes to the area's eastern boundary, five minutes to the western boundary and six minutes to the northwest boundary. As the annexation area is developed, the Fire Department will continue to evaluate its system to ensure an adequate level of service.

In response to a request regarding the impact of the proposed annexation on current and future services, the Miami-Dade Fire-Rescue Director submitted the following.

The capital plan for Miami-Dade Fire Rescue proposes two additional stations to serve the proposed annexation and surrounding areas. One station is to be located at NW 170th Street and I- 75 and the other station may be located either within the annexation area at the southern boundary or just east of I-75 dependant on where a site can be obtained. When built and roads are complete, travel time for these stations to serve the area would be 2-4 minutes.

Because Hialeah has a City Fire Rescue Department, this annexation creates "holes" within the Miami-Dade Fire-Rescue Service District resulting in operating inefficiencies. Similarly, a substantial negative fiscal impact will result due to the loss of revenue to the District plus the need for two additional stations to serve the surrounding area regardless of the disposition of the annexation. The revenue loss is believed to be substantial but is impossible to predict at this time because the area is undeveloped and imprecise projections for the intensity/type of future development are presented. Hence, the revenue loss, if not mitigated by Hialeah, will be borne by higher taxes to remaining District properties. Fiscal (and operating) inefficiencies will be magnified when Hialeah opens another stations within the annexation area to serve the new growth to the new Hialeah annexed areas.

Hialeah has an excellent Fire Rescue Department and the stations responding were accurately stated. The response time may be somewhat off to the western boundary at the present time, however. Using their calculations of 30 miles per hour and their stated response to the eastern border of 4 minutes it would seem that travel time to the western boundary might be 6-7 minutes rather than the stated 5 minutes considering the 1 ½ mile width of the area. Their plan to construct and operate an additional station will undoubtedly be needed given the planned growth.

As previously stated there will be noticed operating inefficiencies and substantial negative fiscal impacts. Because Miami-Dade provides regional service, staff reductions commensurate with the revenue reduction cannot be accommodated without an unacceptable negative service impact to the remainder of the District.

Water and Sewer - The entire annexation area is within the Water and Sewer Department (WASD) water and sewer service areas, with the exception of two parcels (tracts 41 and 42 in section 21). While there are presently no WASD water and sewer facilities in the proposed annexation area, the Department has completed the design of water and sewer extensions into the area. These designs are on hold awaiting development. In accordance with Ordinance No. 89-15, as development occurs in the future, WASD would determine its ability to serve the property.

WASD has indicated that the Department has existing water and wastewater treatment plans that would provide services to the proposed annexation area. As development occurs in the area, connection charges would be collected to pay for future expansion of these treatment facilities. As long as the area remains in WASD's service area, the Department will work with developers to design and construct the water distributions and sewage collection systems as development occurs. The Department would own, operate, and maintain those facilities.

The City of Hialeah provides retail water service to the City's residents. The City provides water to 230,000 Hialeah residents at the rate of 24 MGD.

As previously stated, there is not water supply in the annexation area. The City indicates that with 15,000 to 20,000 potential residents in the annexation area, water consumption is estimated to be an addition 1.6 MGD. The City will work with developers to design and build the distribution system. Main access to the area will be provided by the 16-inch water main at NW 97th Avenue, approximately 680 feet northwest of 138th Street.

In the application City officials state that the distribution system will be built over an extended period of time. They recognize, however, that should development occur at a pace faster than expected, additional connections will be required to insure an adequate level of service for fire protection and water flow.

In their annexation application, City of Hialeah officials state that sewage is collected by the City of Hialeah and transmitted to WASD's pump station 418. Pump station 418 has a maximum capacity of 50 million

gallons per day (MGD) and currently treats 17 MGD. Additionally, pump station 418 is expanding its capacity by more than 194 percent to support anticipated future development.

The proposed annexation area will be connected to the City of Hialeah's sewer system via an 18 inch sanitary gravity main located at NW 97th Avenue and NW 130th Street to serve the area north of NW 138th Street. City officials state in the annexation application that both connections will be sufficient to accommodate future development for 15,000 people.

Solid Waste - The area proposed for annexation is within the County's solid waste collection service area. Pursuant to Ordinance 96-30, the Department of Solid Waste Management (DSWM) retains the responsibility for the provision of waste collection services, unless the municipality and the County enter into and maintain the standard twenty-year interlocal agreement for delegation of waste collection authority. The Department of Solid Waste Management could opt to delegate waste collection responsibilities to the City, provided that the cumulative effect of annexations that have taken place since February 16, 1996, do not significantly impact the DSWM's ability to meet debt coverage or to hold down the cost of collection service. Since the City has entered into a twenty-year interlocal agreement addressing waste disposal, the City is in compliance with the terms of Ordinance 96-30.

In the annexation application, City officials state that the City of Hialeah has two weekly garbage pick-ups, one weekly recycling pick-up, and one monthly bulk trash pick-up. Each garbage pick-up route serves 900 to 1,000 homes daily and requires one driver and two collectors. Each recycling route handles 1,500 to 2,000 homes per day and requires one driver and one collector. Each bulk trash route handles 500 homes per day and requires one equipment operator and two drivers.

Commercial trash removal is provided by private waste haulers with dumpster service. The City provides twice weekly and/or daily service of 30-gallon garbage cans.

Domestic solid waste collected by the City of Hialeah is transferred to solid waste disposal facilities that are owned and operated by Miami-Dade County, Department of Solid Waste Management.

Commercial and multi-family solid waste is collected within the City of Hialeah by private solid waste collection and disposal firms. Commercial developments will be required to contract for trash removal services with a private hauling company.

Street Maintenance - The City of Hialeah maintains all streets within its jurisdiction with the exception of State and County roadways. Many minor arterials and collector streets are constructed and improved by the private sector as development occurs with maintenance then transferring to the City once improvements are complete. It is expected that roads and streets built in the future in the subject annexation area would be constructed/improved by private development and thereafter maintained by Hialeah.

Parks and Recreation - According to the application, the City currently has 39 parks and open space facilities. Most of these parks are small neighborhood parks that are supplemented by five main park facilities in the City. There are no parks in the area. The City expects to develop one large park using a portion of an existing lake in the annexation area.

Annexation Guidelines:

The following analysis addresses the factors required for consideration by the Boundaries Commission pursuant to Chapter 20 of the County Code.

1. **The suitability of the proposed annexation boundaries, in conjunction with the existing municipality, to provide for a municipal community that is both cohesive and inclusive.**

a) Not divide a U. S. Census Designated Place, to the extent feasible

The area does not divide a Census Designated Place, (an officially recognized traditional community).

The proposed annexation area is entirely located outside a Census Designated Place (CDP). The Cities of Hialeah and Hialeah Gardens are located immediately to the south while the Town of Miami Lakes is located immediately to the east.

- b) **Include adjacent areas of ethnic minority or lower income residents in which those residents petitioned to be in the annexation area.**

No adjacent unincorporated areas have petitioned to be included in the annexation area.

Population By Race and Hispanic Origin			
City of Hialeah Proposed Annexation, 2002-03			
	Hialeah Annexation Area	Miami-Dade	
Population Characteristics, 2000	15	2,253,362	
Percent Hispanic Origin	46.7	57.3	
Percent White, Not Hispanic	26.7	20.7	
Percent Black, Not Hispanic	26.7	19.0	
Percent Other Not Hispanic	0.0	3.0	
Source: U.S. Census Bureau, Census 2000 Summary File1,			
Miami-Dade County, Department of Planning and Zoning, 2002.			

- c) **Have contiguity and not create any unincorporated enclave area(s). An unincorporated enclave area is defined as an area that would be 1) surrounded on more than eighty (80) percent of its boundary by one (1) or more municipalities, and 2) of a size that could not be serviced efficiently or effectively.**

The area is not, and does not create, an unincorporated enclave area (surrounded on 80 percent or more of its boundary by municipalities) that cannot be efficiently or effectively served by the County. However, the Director of Fire-Rescue, as previously noted, has expressed concerns regarding the effect of the annexation on fire rescue services.

The municipalities of Hialeah Gardens and Miami Lakes bound portions of the proposed annexation area. The proposed annexation area's southern boundary on NW 138th Street and the City of Hialeah Gardens' northern boundary on NW 137th Street, between NW 97th and NW 107th Avenues, results in a very narrow enclave. The City of Hialeah Gardens has filed a separate annexation application that includes this potential enclave. The Boundaries Commission is also considering an

annexation application submitted by the City of Hialeah Gardens today.

d) Have natural or built barriers as boundaries, to the extent feasible

The area is bounded on the north by NW 170th Street, on the east by Interstate 75/Town of Miami Lakes, on the south by NW 138th Street/West 84th Street/cities of Hialeah and Hialeah Gardens, and on the west by NW 107th Avenue. The above referenced boundaries are logical and consist of existing or platted features.

2. The existing and projected property tax cost for the municipal-level service to the average homeowners in the area currently as unincorporated and as included as part of the annexing municipality.

	<u>Millage Rate</u>
<u>City of Hialeah</u>	
Municipal Millage	7.528
<u>Unincorporated Area</u>	
UMSA Millage	2.447
Fire/Rescue District	2.582
Fire/Rescue Debt Service	.079
Library District	.486
Total	5.594
Increase	1.934

3. Relationship of the proposed annexation area to the Urban Development Boundary (UDB) of the County's Comprehensive Development Master Plan.

The proposed annexation area is partially outside the UDB of the County's Comprehensive Development Master Plan (CDMP). The area bounded by NW 170th Street, NW 97th Avenue, NW 154th Street and NW 107th Avenue is completely outside the County's 2005 UDB but inside the 2015 planned urban expansion area. This area comprises approximately one-third of the proposed annexation area (640 acres).

4. Impact of the proposal on the revenue base of the unincorporated area and on the ability of the County to efficiently and effectively provide services to the adjacent remaining unincorporated area.

The total taxable value of the annexation area is \$57.4 million. The area generates approximately \$170,000 in UMSA revenues. The County expends approximately \$138,000 per year providing services. Therefore, the net revenue loss to UMSA is approximately \$32,000.

Annexation of this area will result in a gross revenue loss to the Fire-Rescue District of \$145,000, inclusive of the debt service millage. The gross revenue loss to the Library District budget will be \$27,000. When viewed in the context of the entire UMSA, Fire-Rescue and Library District budgets, this annexation is essentially "revenue neutral." Other recent annexations of non-commercial/business/industrial areas have been approved without the requirement that the annexing municipality mitigate the impact.

However, if mitigation were to be considered, the total amount, based on the impacts stated above, would be \$204,000. This amount, which results in 100 percent mitigation of the current adverse impact, would be adjusted annually based on the Consumer Price Index (CPI). The CPI adjustment is used in the mitigation calculations for the Town of Miami Lakes and the Village of Palmetto Bay.

Another option could be that the mitigation calculation be based on a millage rate. In that case, the dollar amount would be the equivalent of 3.739 mills, inclusive of Fire District debt service. The total dollar amount would increase as the area is developed and the taxable value of the area grows. This methodology was used in reaching agreement with the Doral Area Municipal Advisory Committee and with the Medley annexation approved in 2002.

Furthermore, pursuant to section 20-8.1 and 20-8.2 of the County Code, the County retains the franchise and utility tax revenues of the area upon annexation.

5. Fiscal impacts of the proposed annexation on the remaining unincorporated area. Specifically, does the per capita taxable value of the area fall within the range of \$20,000 to \$48,000?

The per capita taxable value is \$3,829,194. However, it should be noted that there are only an estimated 15 residents in the area, and the area is essentially undeveloped.

6. Consistency with the Land Use Plan of the County's Comprehensive Development Master Plan (CDMP).

The Charter, the Code of Miami Dade County and the CDMP, all provide the County with some capacity to maintain jurisdiction over municipal plans and development regulations.

Section 2-116.1.2 of the Code of Miami-Dade County states that "(a) the location of the UDB and permitted uses outside the UDB shall be governed by the Miami-Dade County Comprehensive Development Master Plan (CDMP) notwithstanding the fact that the UDB may lie within a municipality. (b) Any amendments to the UDB line or land uses permitted by the CDMP shall be filed and processed in accordance with procedures for applications located within the unincorporated area. (c) All municipal land use decisions outside the UDB line shall be consistent with the CDMP."

It is critical to the functioning of a metropolitan government that the County ensure that any municipality, whether through annexation or incorporation, will not infringe on the ability of the County to protect important resources of countywide importance and to control land uses outside the UDB. Therefore, if any area outside the UDB is to be annexed, the County must attain enforceable assurances (such as an interlocal agreement) that the land uses that occur outside the UDB are consistent with adopted County policy. The County would retain jurisdiction for land use outside the UDB. Any land use changes would have to go through the County's CDMP amendment process.

Currently, the County's CDMP land use designation for the area outside the UDB is "Open Land." The CDMP land use designation for the balance of the proposed annexation area (inside the UDB) is "Industrial and Office," "Business and Office," and "Residential Estate Density with a Density Increase with Urban Design."

The County's "Open Land" land use designation is for lands not needed for urban uses between now and the year 2005 and have, therefore, been set aside for uses other than urban development. It is not surplus

undeveloped land, but rather it is land intended to serve one or more of the following functions: production such as agriculture, limestone extraction or other resource-based activity such as development of potable water supplies; rural residential development at a density no greater than one unit per five acres; recreation; and compatible utility and public facilities.

The County's "Business and Office" land use designation accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes, entertainment and cultural facilities, amusement and commercial recreation establishments. The existing BU-1 Zoning and business use is consistent with the County's CDMP. Residential uses, and mixing of residential use with commercial, office and hotels are also permitted in "Business and Office" areas provided that the scale and the intensity, including height and floor area ratio of residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning.

The County's "Industrial and Office" land use designation allows industries, manufacturing operations, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers, merchandise marts and similar uses. The existing IU-1 and IU-2 Zoning and industrial use is consistent with the County's CDMP.

The County's "Estate Density Residential" land use designation allows residential uses at a density range of 1 to 2.5 dwelling units per acre. The existing EU-M Zoning and residential estate density are consistent with the County's CDMP. The land use in a portion of the annexation area provides for "One Density Increase with Urban Design". Residential development density in this Estate Density area can be increased to the County's "Low Density" only if the development containing this land utilizes sound urban design principles. The County's "Low Density Residential" land use designation allows residential uses at a density range of 2.5 to 6.0 dwelling units per acre.

In the interlocal agreement with the County, the City must also provide enforceable assurances that good urban design principles will be applied to the "Estate Density Residential" land use area if the City were to develop at a density higher than the County's estate density.

The Boundaries Commission shall also consider the following guidelines

1. Will this annexation divide a historically recognized community?

The proposed annexation area is entirely located outside a Census Designated Place (CDP). The Cities of Hialeah and Hialeah Gardens are located immediately to the south while the Town of Miami Lakes is located immediately to the east.

2. Is the annexation compatible with existing planned land uses and zoning of the municipality to which the area is proposed to be annexed?

The current land uses in the proposed annexation area are rock mining, agriculture and solid waste dumping activities. The existing underlying zoning would permit compatible development.

Planned land uses for the portion of the annexation area inside the UDB are compatible with the current and planned land uses within the City of Hialeah.

Planned land uses for the portion outside the UDB will continue as defined by the CDMP "Open Land" designation, including rock mining and some scattered solid waste (clean construction) landfill sites. The Planning Department has recommended that County and the City enter into an interlocal agreement that provides for enforceable assurances regarding land uses outside the UDB.

3. Will the area, if currently qualified, continue to be eligible for any benefits derived from inclusion in federal or state enterprise zones, or targeted area assistance provided by federal, state and local government agencies?

The annexation area is currently not part of federal or state enterprise zones, or targeted areas assistance provided by federal, state and local government agencies.

4. Will the annexation impact public safety response times?

The proposed annexation will not have any negative or significant impact on the Miami-Dade Police Department's ability to service the remaining unincorporated area.

The Director of the Fire Rescue, as previously noted, raised some concerns regarding the annexation's impact.

5. **Will the annexation introduce barriers to municipal traffic circulation due to existing security taxing districts, walled communities, and/or private roads?**

It is not anticipated that annexation will introduce any new barriers to municipal traffic flow.

6. **Will the annexation area be served by the same public service franchises, such as cable and communication services, as the existing municipality, or will it have full access to all available municipal programming through its franchises provider?**

The proposed annexation will continue to be served by the same cable television and telecommunication operators. Municipal programming is accomplished through separate agreement between municipalities and the cable operators providing services within their respective municipality. The cable operators' obligation to broadcast municipal meetings is outlined in these agreements.

7. **If the area has been identified by the federal government as a flood zone or by emergency planners as an evacuation zone, has the existing municipality indicated its preparedness to address any extraordinary means that may arise?**

The annexation area is located in the AE6 flood zone, which means this is a flood prone area, and for FEMA's definition of the 100-year flood event, flooding would occur up to six feet above sea level.

Planning to address extraordinary circumstances will be the municipal government's responsibility in conjunction with the County's Office of Emergency Planning.

8. **Will the annexation area be connected by public transportation to municipal government offices and commercial centers?**

There is currently no transit service in the proposed annexation area. As the area becomes more urbanized and populated and Office of Public Transportation Management and Miami-Dade Transit will evaluate

extending service to the area. The City may wish to use its share of the transit surtax to initiate limited circulator at an earlier date.

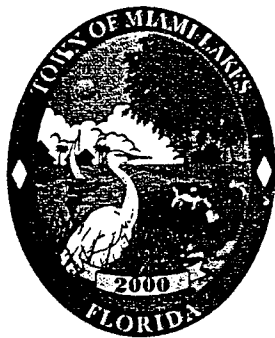
9. **To the degree possible, would the proposed annexation area be contained in one or more school district boundaries governing admission to elementary, middle and high school as the adjoining municipality?**

The proposed annexation area is served by Bob Graham Education Center, Miami Lakes Middle School and Barbara Goleman High School.

Attachments -

Map

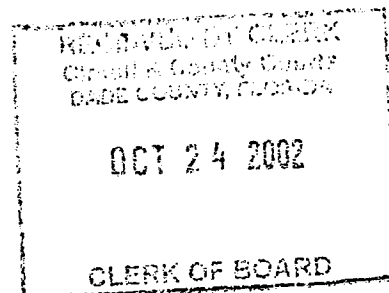
Resolution - Town of Miami Lakes



Town Of Miami Lakes

6853 Main Street • Miami Lakes, Florida 33014
 (305) 558-8244 / Fax (305) 558-8511
www.townofmiamilakes.com

TOWN CLERK
 Beatris M. Arguelles, CMC



October 9, 2002

Hon. Mayor and County Commissioners
 Miami Dade County
 111 NW 1st Street
 Miami FL 33128

Dear Hon. Mayor and County Commissioners:

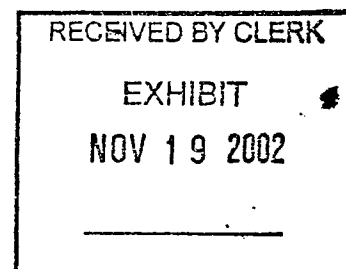
The Town of Miami Lakes Town Council at their September 10, 2002 Regular Council Meeting adopted an amended Resolution 02-91. On September 11, 2002, I transmitted a copy of the Resolution; however the version which was attached was not the amended version. I am transmitting herewith the proper resolution for your consideration.

On behalf of the Town Council, I appreciate your consideration or our request. Please feel free to contact me, or any member of the Council at 305-364-6100 regarding this request.

Sincerely,

Beatris M Arguelles, CMC
 Town Clerk

cc: Steve Shiver, County Manager
 Hon. Harvey Ruvin, Clerk of the Board
 Hon. Mayor and Town Council
 Alex Rey, Town Manager



CERTIFICATION OF AUTHENTICITY

This shall certify that the attached 3 page document entitled:

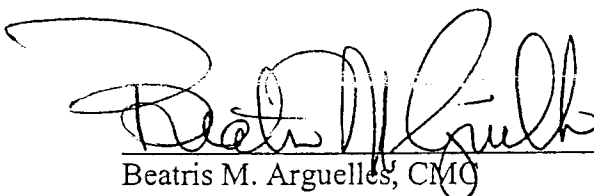
RESOLUTION No. 02-91
(As Amended)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; REQUESTING THAT MIAMI-DADE COUNTY CONDUCT AN EXTENSIVE STUDY ON THE USES OF THE LAND WEST OF I-75 AND BETWEEN NW 138TH ST AND 170TH ST; REQUESTING THAT THE COUNTY COMMISSION PLACE A MORATORIUM UPON THE CONSIDERATION OF ANY ANNEXATION OF THAT LAND UNTIL THE STUDY IS COMPLETED AND UNTIL THE TOWN OF MIAMI LAKES MAKES ITS FINAL DETERMINATION REGARDING WHETHER TO ANNEX THIS LAND OR A PORTION OF THE LAND; AND PROVIDING FOR AN EFFECTIVE DATE.

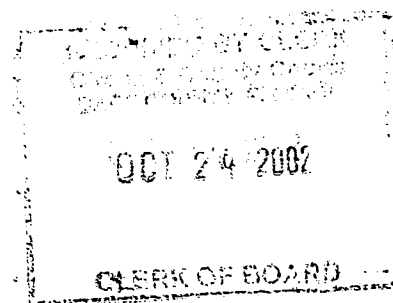
was adopted by the Town of Miami Lakes Town Council on Tuesday, September 10, 2002 and the Amended original thereof is contained in the files of the office of the Town Clerk.

Dated this 9th Day of October, 2002

Signed:


Beatris M. Arguelles, CMC
Town Clerk

19 2



RESOLUTION NO. 02 -91
(As Amended)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; REQUESTING THAT MIAMI-DADE COUNTY CONDUCT AN EXTENSIVE STUDY ON THE USES OF THE LAND WEST OF I-75 AND BETWEEN N.W. 138TH STREET AND 170TH STREET; REQUESTING THAT THE COUNTY COMMISSION PLACE A MORATORIUM UPON THE CONSIDERATION OF ANY ANNEXATION OF THAT LAND UNTIL THE STUDY IS COMPLETED AND UNTIL THE TOWN OF MIAMI LAKES MAKES ITS FINAL DETERMINATION REGARDING WHETHER TO ANNEX THIS LAND OR A PORTION OF THE LAND; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the land running West of I-75 and between N.W. 138th Street and 170th Street is adjacent to the boundaries of the Town of Miami Lakes (the "L and"); and

WHEREAS, the Town previously announced that it was in the process of studying the annexation of this Land; and

WHEREAS, the Town Council finds that the use of the Land will have a great impact upon the quality of life of Miami Lakes residents; and

WHEREAS, the Town Council finds Miami Lakes residents will be the most affected by the use of that Land; and

WHEREAS, if the Land is annexed by another municipality, then the Town will lose all control over decisions made concerning the Land; and

WHEREAS, if the Town Council determines that annexation of a portion of the Land is a necessary for economic and other reasons, the Land will not be available if it is annexed by another municipality; and

WHEREAS, it would be unfair to the Town's residents and to the residents of Miami-Dade County to allow annexation of the Land without proper studying and analysis; and

WHEREAS, the City of Hialeah is only marginally contiguous to that Land; and

WHEREAS, the Town Council finds that it is in the best interest of the Town to request that Miami-Dade County conduct an extensive study regarding use of the Land and to place a moratorium on any annexation of the Land until a study has been completed and the Town determines whether to annex the Land.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The above recitals are true and correct and incorporated here in by reference.

Section 2. The Town Council requests that the Miami-Dade County Commission:

1. Conduct an extensive study on the use of the land running West of I-75 and between N.W. 138th Street and 170th Street that is adjacent to the boundaries of the Town of Miami Lakes
2. Place a moratorium on its consideration of annexation of the land running West of I-75 and between N.W. 138th Street and 170th Street until the ~~comprehensive~~ study Miami Lakes Comprehensive Plan has been completed.
3. Not proceed with the consideration of any proposals from other municipalities to annex this land until the Town of Miami Lakes completes its due diligence and has had an opportunity to ~~initiate~~ Consider annexation of the land or some portion thereof.

Section 3. The Town Clerk is directed to immediately forward a certified copy of this Resolution to Miami-Dade County.

Section 4. Effective Date. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 10th day of September, 2002.



WAYNE SLATON, MAYOR

ATTEST:



ACTING TOWN MANAGER

APPROVED AS TO LEGAL SUFFICIENCY:



TOWN ATTORNEY

Resolution No. 02-91



